

LABEL, IN PART: (Jars) "Lippincott * * * Selected Olives Stuffed With Sweet Peppers Packed By Lippincott Fine Food, Inc., Division of Max Ams, Inc., New York, N. Y."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), in that the statement, "Selected Olives Stuffed With Sweet Peppers," which appeared in the labeling, was misleading since less than half of the olives in the jar were stuffed; and, Section 403 (d), in that the container was so filled as to be misleading since the method of packing two rows of olives with the stuffed ends facing out gave the impression that the jars contained all stuffed olives.

DISPOSITION: July 19, 1944. The Alterman Brothers, Atlanta, Ga., claimant, having admitted that the product was misbranded, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

6117. Adulteration of prunes, in sirup. U. S. v. 499 Cases of Prunes in Syrup. Default decree of condemnation and destruction. (F. D. C. No. 10257. Sample No. 11325-F.)

LIBEL FILED: On July 14, 1943, in the Western District of Washington, against 298 cases; amended libel filed July 17, 1943, to cover a total of 499 cases.

ALLEGED SHIPMENT: On or about June 24, 1943, by the A. M. Beebe Co., Inc., from San Francisco, Calif.

PRODUCT: 499 cases, each containing 12 30-ounce jars, of prunes, in sirup, at Tacoma, Wash.

LABEL, IN PART: "Sun-Blest Prepared Prunes in Syrup * * * Tiedemann & McMorran Distributors San Francisco, Calif."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy substances, rodent hairs and insect excreta.

DISPOSITION: June 16, 1944. The sole intervenor having withdrawn its claim, judgment of condemnation was entered and the product was ordered destroyed.

DRIED FRUITS

6118. Adulteration of apple chops. U. S. v. 390 Bags of Apple Chops. Default decree of condemnation and destruction. (F. D. C. No. 12828. Sample No. 59861-F.)

LIBEL FILED: On July 10, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On or about December 15, 1943, from Yakima, Wash.

PRODUCT: 390 bags, each containing 50 pounds, of apple chops, at Chicago, Ill., in possession of the Currier Lee Warehouse, Inc.

The product was stored under insanitary conditions after shipment. Some of the bags had been gnawed by rodents and contained rodent excreta. The bags on top of the pile were very dirty, and the dust had filtered through the bags onto the chops. Examination of samples showed that the product contained rodent excreta, rodent hair fragments, larvae, insect fragments, and dirty, moldy, and insect-damaged apple chops.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: October 11, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6119. Adulteration of dried figs. U. S. v. 184 Boxes of Dried Figs. Default decree of condemnation and destruction. (F. D. C. No. 12825. Sample No. 70646-F.)

LIBEL FILED: On or about June 30, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about April 10, 1944, from San Francisco, Calif., consigned by the Albert Asher Co.

PRODUCT: 184 boxes, each containing 25 pounds, of dried figs at Tacoma, Wash.

LABEL, IN PART: (Boxes) "Progreso Brand Choice California Black Figs."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of a filthy substance by reason of the presence of

rodent hairs and insect fragments; and, Section 402 (a) (4), it had been prepared or packed under insanitary conditions whereby it might have been contaminated with filth.

DISPOSITION: August 9, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6120. Adulteration of figs. U. S. v. 741 Cases of Sliced Figs. Consent decree of condemnation. Product ordered released to be distilled, disposed of as animal feed, or otherwise destroyed for human food purposes. (F. D. C. No. 12458. Sample No. 70838-F.)

LIBEL FILED: June 10, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about December 10, 1943, by the California Packing Co., Fresno, Calif.

PRODUCT: 741 60-pound cases of sliced figs at Seattle, Wash.

LABEL, IN PART: "60 Lbs. Net Mecca Brand Sliced Figs * * * Adriatic * * * Packed by Roeding Fig & Olive Co., Fresno, California."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested, moldy, and sour figs.

DISPOSITION: July 13, 1944. The Roeding Fig & Olive Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be distilled, disposed of as animal food, or otherwise destroyed for human food purposes, under the supervision of the Federal Security Agency.

6121. Adulteration of sliced white figs. U. S. v. 48 Cases of Sliced White Figs. Consent decree of condemnation. Product ordered released under bond to be used for distillation into spirits. (F. D. C. No. 12285. Sample No. 71146-F.)

LIBEL FILED: May 15, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about January 18, 1944, from Fresno, Calif., by Guggenhime & Co.

PRODUCT: 48 cases, each containing 60 pounds, of sliced white figs at Seattle, Wash.

LABEL, IN PART: "Waldorf Brand California Adriatic Dried Sliced White Figs."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, and insect excreta.

DISPOSITION: August 4, 1944. Guggenhime & Co. having appeared as claimant and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be used for distillation into spirits, under the supervision of the Food and Drug Administration.

JELLIES, PRESERVES, AND BUTTERS*

6122. Adulteration of apple butter. U. S. v. 1,492 Cases of Apple Butter. Consent decree of condemnation and destruction. (F. D. C. No. 9020. Sample No. 1962-F.)

LIBEL FILED: December 14, 1942, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about November 12 and 13, 1942, by the D. B. Scully Syrup Co., Chicago, Ill.

PRODUCT: 1,492 cases, each containing 12 jars, of apple butter at Milwaukee, Wis.

LABEL, IN PART: "Roundy's White Label * * * Pure Apple Butter * * * Distributed by Roundy, Peckham and Dexter Co., Milwaukee, Wisc."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: June 6, 1944. The D. B. Scully Syrup Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

*See also No. 6194.